

782 KAR 1:020. Definitions for 782 KAR Chapter 1.

RELATES TO: KRS 163.470(10)

STATUTORY AUTHORITY: KRS 163.470(5)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 163.470(5) requires the Office for the Blind to promulgate administrative regulations to establish and implement policies and procedures for carrying out the program of services for the blind. This administrative regulation establishes definitions for the terms used in 782 KAR Chapter 1.

Section 1. Definitions.

(1) "Applicant" means an individual who:

- (a) Has requested vocational rehabilitation services in writing; and
- (b) Is available to complete an assessment.

(2) "Communication" means the ability to comprehend, respond, and exchange information through:

- (a) Spoken words;
- (b) Written words;
- (c) Sign language;
- (d) Braille;
- (e) Concepts;
- (f) Gestures; or
- (g) Other means.

(3) "Comparable benefits" means service, benefit, or financial assistance available to a consumer from a program other than the office which meets the cost of services to be provided under an individualized plan for employment.

(4) "Consumer" means an individual:

- (a) Who has a visual impairment and possible secondary disabilities;
- (b) Whose impairment constitutes or results in a substantial impediment to employment;
- (c) Who may benefit in terms of an employment outcome from the provision of vocational rehabilitation services; and
- (d) Who has been determined eligible for vocational rehabilitation services by a rehabilitation counselor.

(5) "Consumer with a most significant disability" means a consumer whose:

- (a) Severe impairment limits three (3) or more functional capacities in terms of employment outcome; and
- (b) Rehabilitation requires two (2) or more services over an extended period of time.

(6) "Consumer with a nonsignificant disability" means a consumer whose:

- (a) Severe impairment limits zero functional capacities in terms of an employment outcome;
- or

- (b) Rehabilitation requires zero or one (1) service over an extended period of time.

(7) "Consumer with a significant disability" means a consumer whose:

- (a) Impairment limits one (1) or two (2) functional capacities in terms of an employment outcome; and

- (b) Rehabilitation requires two (2) or more services for a period of time.

(8) "Correction" means the best visual functioning using conventional eyeglasses or contact lenses as prescribed by an ophthalmologist or optometrist.

(9) "Counselor" means a vocational rehabilitation counselor of the office.

(10) "Functional capacities" means:

- (a) Communication;

- (b) Interpersonal skills;
- (c) Orientation and mobility;
- (d) Self-care;
- (e) Self-direction;
- (f) Work skills; and
- (g) Work tolerance.

(11) "Institution of postsecondary education" means a university, college, proprietary school, technical institution, or the Kentucky Community and Technical College System.

(12) "Interpersonal skills" means the ability to make and maintain a personal, family, and community relationship.

(13) "Office" is defined by KRS 163.460(1).

(14) "Orientation and mobility" means the ability to travel independently to and from a destination in the community.

(15) "Progressive visual disorder" means a visual impairment that is:

- (a) Not complete or fully developed when the impairment is diagnosed; and
- (b) Predicted, medically, to increase in extent or severity.

(16) "Self-care" means the ability to engage in activities of daily living including:

- (a) Personal grooming;
- (b) Home management; and
- (c) Health and safety needs.

(17) "Self-direction" means the ability independently to plan, initiate, problem solve, organize, and carry out a goal-directed activity.

(18) "Services" means any appropriate authorization for purchase to meet the vocational rehabilitation needs and to achieve the employment outcome of a consumer.

(19) "Work skills" means the ability to do a specific task required for a particular job.

(20) "Work tolerance" means the ability to sustain the required level of functioning in a work-related activity, with or without accommodations. (15 Ky.R. 2336; eff. 7-7-89; recodified from 720 KAR 1:020, 7-5-90; 21 Ky.R. 564; eff. 10-6-94; 23 Ky.R. 3427; 4129; eff. 6-16-97; 33 Ky.R. 2163; 3173; eff. 5-4-2007; 38 Ky.R. 828; 1129; eff. 12-12-11; 38 Ky.R. 828; 1129; eff. 12-12-11.)